

REMARKS

In the Office Action¹, the Examiner objected to claims 1-32; rejected claims 4, 5, 7, 9, and 13 under 35 U.S.C. § 112, second paragraph; rejected claims 31 and 32 under 35 U.S.C. § 101; rejected claims 1-9 and 16-24 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent No. 6,970,127 B2 to Rakib ("*Rakib*"), U.S. Patent No. 6,421,733 B1 to Tso et al. ("*Tso*"), and "Object-Oriented Software: Theory, Practice and Implementation" to Steidley ("*Stiedley*"); rejected claims 10-12 and 25-27 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib*, *Tso*, *Stiedley*, and U.S. Patent No. 7,159,224 B2 to Sharma et al. ("*Sharma*"); rejected claims 13, 14, 28, 29, 31, and 32 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib*, *Sharma*, and U.S. Patent No. 6,304,564 B1 to Monin et al. ("*Monin*"); and rejected claims 15 and 30 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib*, *Sharma*, *Monin*, and *Tso*.

By the present amendment Applicant cancels claims 31 and 32 without prejudice or disclaimer; amends claims 1-30; and adds new claims 33 and 34. Claims 1-30, 33, and 34 are now pending, and the objection and rejections of claims 31 and 32 are rendered moot by the cancellation.

Applicant respectfully traverses the objection to claims 1-30. In order to advance prosecution, however, Applicant amends claims 1-30 to overcome the objection. Accordingly, Applicant respectfully requests the withdrawal of the objection to claims 1-30.

¹ The Office Action may contain statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Applicant respectfully traverses the rejection of claims 4, 5, 7, 9, and 13 under 35 U.S.C. § 112, second paragraph. In order to advance prosecution, however, Applicant amends claims 4, 5, 7, 9, and 12 to overcome the rejection. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 4, 5, 7, 9, and 13 under 35 U.S.C. § 112, second paragraph.

Applicant respectfully traverses each of the rejection of: claims 1-9 and 16-24 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib, Tso, and Stiedley*; claims 10-12 and 25-27 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib, Tso, Stiedley, and Sharma*; claims 13, 14, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib, Sharma, and Monin*; and claims 15 and 30 under 35 U.S.C. § 103(a) as being unpatentable in view of *Rakib, Sharma, Monin and Tso*.

Independent claim 1 recites a content-providing server including, among other things, “a metadata storage unit including attribute information,” and “a content storage unit for storing the received content in an hierarchical content management directory, wherein the metadata storage unit includes information describing the hierarchical management directory.”

Page 6 of the Office Action concedes that *Rakib* does not explicitly disclose a metadata storage unit including attribute information, and relies on *Tso* to allegedly disclose the claimed metadata storage unit. This, however, is not correct.

Tso discloses a “server-side cache interface 28 and server-side cache memory 30 [that] enable maintenance of multiple representations of a given cached object, with descriptive information about each representation included in server-side cache

memory 30.” (Col. 4, lines 62-66). Thus, server-side cache interface 28 of *Tso* includes descriptive information corresponding to a cached object. Even if the descriptive information of *Tso* could constitute the claimed “metadata,” which Applicant does not concede, *Tso* still does not teach or suggest the claimed “metadata storage unit.” This is because the descriptive information of *Tso* does not include “information describing the **hierarchical management directory**,” (emphasis added) as recited in claim 1.

Stiedley, *Sharma*, and *Monin* do not overcome the above-noted deficiency of *Tso* and do not teach or suggest, “a metadata storage unit including attribute information,” and “a content storage unit for storing the received content in an hierarchical content management directory, wherein the metadata storage unit includes information describing the hierarchical management directory,” as recited in claim 1.

Moreover, combinations of *Rakib*, *Tso*, *Stiedley*, *Sharma*, and *Monini* fail to disclose or suggest “a tuner control instance for setting the first content and the second received over the first and second channel as a unit of content, wherein a recording source content identifier is set corresponding to the unit of content, and the recording source content identifier is a channel list Uniform Resource Locator (URL),” as further recited in claim 1.

For at least the above reasons, the Office Action has not established a *prima facie* case of obviousness of claim 1. Thus, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdraw.

Independent claims 13, 16, and 28, while of different scope than claim 1, recite features similar to those of claim 1 and are thus allowable over *Rakib*, *Tso*, *Stiedley*, *Sharma*, and *Monini* for at least reasons similar to those discussed above in regard to

claim 1. The remaining claims, rejected as being obvious in view of combinations of *Rakib, Tso, Stiedley, Sharma, and Monini*, are also allowable at least due to their dependence from one of the independent claims.

Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested and deemed appropriate.

New claims 33 and 34, while of different scope than claim 1, recite features similar to those of claim 1 and are thus allowable over *Rakib, Tso, Stiedley, Sharma, and Monini* for at least reasons similar to those discussed above in regard to claim 1.

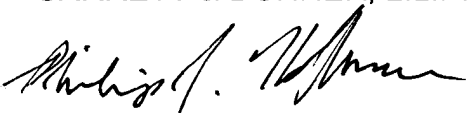
In view of the foregoing, Applicant respectfully requests reconsideration of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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